

Exhibit 5

DANIEL J. KING
Fischer v Government Employees Ins.

January 07, 2025
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<p>1 UNITED STATES DISTRICT COURT 2 EASTERN DISTRICT OF NEW YORK 3 -----X 4 KEITH FISCHER, MICHAEL O'SULLIVAN, 5 JOHN MOESER, LOUIS PIA, THOMAS 6 BARDEN, CONSTANCE MANGAN, and 7 CHARISE JONES, individually and on behalf 8 of all others similarly situated, 9 Plaintiffs, 10 11 Case No.: 12 2:23 Civ. 2848 13 (GRB)(ARL) 14 -against- 15 16 GOVERNMENT EMPLOYEES INSURANCE 17 COMPANY d/b/a GEICO, 18 Defendants. 19 -----X 20 21 DEPOSITION OF 22 23 DANIEL JOSEPH KING 24 25 Tuesday, January 7th, 2025 26 27 Garden City, Long Island, New York 28 29 30 Reported By: 31 32 Marina Dubson 33 34 Job #: J12200285 35</p>	<p>1 APPEARANCES: 2 3 OUTTEN & GOLDEN, LLP 4 Attorney for Plaintiffs 5 685 Third Avenue, 25th Floor, 6 New York, New York 10017 7 (212) 245-1000 8 BY: SABINE JEAN, ESQ. 9 Sjean@outtengolden.com 10 JARRON MCALLISTER, ESQ. 11 Jmcallister@outtengolden.com 12 13 14 15 DUANE MORRIS, LLP 16 Attorney for Defendant 17 1540 Broadway, 14th Floor, 18 New York, New York 10036 19 (212)471-1856 20 BY: GREG SLOTNICK, ESQ. 21 Gsslotnick@duanemorris.com 22 23 24 25 Sam Shereck, Shereck Video, videographer 26 Sshereck1@gmail.com 27 28 29 30</p>
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<p>1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p>DATE: January 7th, 2025 TIME: 10:00 a.m.</p> <p>DEPOSITION of DANIEL JOSEPH KING, an opt-in Plaintiff herein, taken by the Defendant, pursuant to Federal Rules of Civil Procedure, and Notice, held at Esquire Deposition Solutions, 1225 Franklin Avenue, Suite 325, Garden City, New York 11530, at the above-mentioned date and time, before MARINA DUBSON, a Notary Public of the State of New York.</p>	<p>1 IT IS HEREBY STIPULATED AND AGREED, 2 by and between the attorneys for the 3 respective parties, as follows: 4 5 THAT all objections, except as to the form 6 of the questions, shall be reserved to the 7 time of the trial; 8 9 THAT the within examination may be signed 10 and sworn to before any Notary Public with 11 the same force and effect as if signed and 12 sworn to before the Court; 13 14 THAT filing of the original transcript of 15 the examination is waived. 16 17 18 19 20 21 22 23 24 25</p>

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1 D. King
2 show proof of when -- when my cases were
3 submitted, at what time.
4 Q. When you say your calendar
5 book, are those the documents that we
6 talked about earlier that you produced in
7 this case?
8 A. Yes.
9 Q. In paragraph 12 on the same
10 page at the bottom, it -- you say, GEICO
11 required me to seek approval from my
12 supervisor to submit any hours worked above
13 38.75?
14 A. Correct.
15 Q. Did a supervisor tell you that?
16 A. Well, that's what you had to
17 do. You had to submit your -- your
18 timesheet, and if there was anything over
19 that, you -- you know, technically, I guess
20 you were supposed to say if you were going
21 to get paid, but they were not paying you
22 for it.
23 Q. Did you ever actually submit
24 over that amount, though?
25 A. No.

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1 D. King
2 Q. So, how do you know that they
3 were not paying you for it?
4 A. Well, just what my supervisor
5 told me.
6 Q. And those were the
7 conversations with --
8 A. Dara Campbell.
9 Q. -- Dara Campbell that you
10 testified to earlier?
11 A. Yeah.
12 Q. And for those discussions with
13 Dara, was anyone else present or it was
14 just a one-on-one conversation?
15 A. It was a one-on-one on the
16 telephone.
17 Q. You continue, in the same
18 paragraph, it says, Dara Campbell, my
19 supervisor, frequently reiterated to me and
20 other special investigators that hours
21 above 38.75 to complete regular case work
22 would not be approved?
23 A. Correct.
24 Q. What other special
25 investigators are you referring to in that

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1 D. King
2 paragraph?
3 A. Just regular investigators.
4 Q. Can you identify who you're
5 talking about by name?
6 A. Well, anybody who was an
7 investigator that was working for
8 Dara Campbell at that time.
9 Q. Were you present for those
10 discussions?
11 A. No.
12 Q. And what do you mean by
13 frequently reiterated?
14 A. When I would complain about
15 that, that I'm having trouble keeping up
16 with the work --
17 (Clarified by the Court
18 Reporter.)
19 A. When I would speak to her about
20 me having trouble keeping up with my
21 caseload and saying that, you know, there's
22 not enough hours in the day for me, and
23 basically had said I am going to get
24 divorced soon because my wife was
25 complaining I'm never around even though I

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1 D. King
2 work from home.
3 She basically said we're all --
4 she did say, but I can't quote, we're all
5 in the same boat and you got to do the best
6 you can.
7 Q. Did she say anything else on
8 that front?
9 A. Not that I recall.
10 Q. Do you know if any other
11 investigators complained to Dara Campbell
12 about not being able to keep up with the
13 workload like you did?
14 A. Honestly, I don't know.
15 Q. Did working from home during
16 the time period you couldn't go into the
17 field after March 2020, did that give you
18 any more flexibility in terms of how and
19 when you could investigate your cases?
20 A. No. It -- it kind of hindered
21 it because we couldn't go out.
22 Q. Were you still required to go
23 into the field and take pictures and scene
24 canvass?
25 A. Not in the beginning, no.

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1	D. King	1	D. King
2	THE VIDEOGRAPHER: Okay. We're	2	I N D E X
3	off the record at 3:54, and that	3	
4	concludes the deposition.	4	EXAMINATION BY PAGE
5	(Whereupon, at 3:55 P.M., the	5	MR. SLOTNICK 6
6	Examination of this Witness was	6	MS. JEAN 212
7	concluded.)	7	
8		8	INFORMATION AND/OR DOCUMENTS REQUESTED
9		9	INFORMATION AND/OR DOCUMENTS PAGE
10	DANIEL KING	10	1. Request for SICM entries 219
11		11	2. Request for metrics 220
12	Subscribed and sworn to before me	12	3. Request for expectations for 220
13	this ____ day of ____ 20__.	13	case investigation tasks
14		14	
15	NOTARY PUBLIC	15	
16		16	QUESTIONS MARKED FOR RULINGS
17		17	PAGE LINE QUESTION
18		18	(None)
19		19	
20		20	
21		21	
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25		25	

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1	D. King	1	D. King
2	E X H I B I T S	2	C E R T I F I C A T E
3		3	
4	DEFENDANT EXHIBITS	4	STATE OF NEW YORK)
5		5	:
6	EXHIBIT EXHIBIT PAGE	5	COUNTY OF RICHMOND)
7	NUMBER DESCRIPTION	6	
8	Exhibit 1 the complaint 18	7	I, MARINA DUBSON, a Notary Public for
9	Exhibit 2 GEICO employee handbook 80	8	and within the State of New York, do hereby
10	Exhibit 3 training log 92	9	certify:
11	Exhibit 4 Declaration of Daniel 98	10	That the witness whose examination is
12	King	11	hereinbefore set forth was duly sworn and
13	Exhibit 5 interrogatories 173	12	that such examination is a true record of
14	Exhibit 6 second amended collective 189	13	the testimony given by that witness.
15	and class action complaint	14	I further certify that I am not
16	Exhibit 7 e-mail 190	15	related to any of the parties to this
17	Exhibit 8 e-mail 193	16	action by blood or by marriage and that I
18	Exhibit 9 e-mail 194	17	am in no way interested in the outcome of
19	Exhibit 10 e-mail 197	18	this matter.
20		19	IN WITNESS WHEREOF, I have hereunto
21		20	set my hand this 7th day of January 2025.
22	(*Exhibits attached to transcript.)	21	
23		22	<i>Marina Dubson</i>
24	(Cont'd next page.)	23	MARINA DUBSON
25		24	
		25	